IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.673 OF 2004

Narayan Manglya Taware ..Appellant

V/s.

Pandurang Kanha Mitkar and others ..Respondents

Ms.Nayana Thatte i/b.S.M.Oka, advocate for appellant

Coram : D.G.Karnik, J

Date : 9th November, 2006

P.C.

1. Heard the learned counsel for the appellant. This appeal is directed against the judgment of the Lower Appellate Court dismissing the appellant's appeal in the suit for specific performance. The Trial Court as well as Lower Appellate Court have concurrently held that the appellant had not proved that he was ready and willing to perform his part of contract. This is the possible finding of fact which is not shown to be perverse. No substantial question of law arises in this second appeal. Hence, the second appeal is dismissed summarily.

(**D.G.Karnik**, **J.**)